

**THIRTY-SECOND DAY**  
(Wednesday, March 22, 1989)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brooks, Brown, Caperton, Carriker, Dickson, Edwards, Glasgow, Haley, Harris, Henderson, Johnson, Krier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Ratliff, Santiesteban, Sims, Tejeda, Truan, Uribe, Washington, Zaffirini.

Absent-excused: Green, Whitmire.

A quorum was announced present.

Dr. Louis Zbinden, Pastor, First Presbyterian Church, San Antonio, offered the invocation as follows:

In this moment of quiet we pause, O God, not to escape the issues of the day but rather to be fortified to meet them well and with wisdom. If a sparrow cannot fall without Your notice then surely we know You are neither deaf to our words nor indifferent to what we say. Remind us that different legislation cannot come from indifferent people. Give us the grit to do the things we talk about; the boldness to implement the things we write about.

Though our stance and methodology may differ, Lord, let our common desire to serve, our concern for the unproductive, our yearning for peace, unify us. Keep us striving after what ought to be and grant that illumination without which we walk in darkness, that inspiration without which we spend days in mediocrity, that integrity without which we see only expediency, that charity without which we pursue littleness.

And we pray in Your Holy and Hallowed name. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

**LEAVES OF ABSENCE**

Senator Green was granted leave of absence for today on account of important business on motion of Senator Brooks.

Senator Whitmire was granted leave of absence for today on account of important business on motion of Senator Brooks.

**RESOLUTION SIGNED**

The President announced the signing in the presence of the Senate the following enrolled resolution:

**S.C.R. 93**

**GUEST PRESENTED**

Senator Sims was recognized and presented Dr. John D. Weaver of Blanco.

Dr. Weaver, participating in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians, was welcomed by the Senate and received an expression of gratitude for his service today.

**MESSAGE FROM THE HOUSE**

House Chamber  
March 22, 1989

HONORABLE W. P. HOBBY  
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

**H.C.R. 85**, Supporting the national energy strategy proposed by the South/West Energy Council.

**H.C.R. 68**, Endorsing the Palo Alto Battlefield National Historical Park Project.

**H.C.R. 108**, Requesting certain State agencies to create a study committee regarding child abuse and neglect by juveniles.

**H.C.R. 16**, Requesting that educational curricula for judges and law enforcement officers include information about certain procedures and services regarding mentally ill persons.

**H.C.R. 164**, Recognizing March 1989 as Social Work Month in Texas.

Respectfully,

BETTY MURRAY, Chief Clerk  
House of Representatives

**REPORTS OF STANDING COMMITTEES**

Senator Caperton submitted the following report for the Committee on Finance:

**H.B. 1279**

**H.B. 190**

**C.S.H.B. 1421**

Senator Brooks submitted the following report for the Committee on Health and Human Services:

**S.B. 837**

Senator Truan submitted the following report for the Committee on Health and Human Services:

**S.B. 745**

Senator Brooks submitted the following report for the Committee on Health and Human Services:

**S.B. 480**

**C.S.S.B. 426**

Senator Truan submitted the following report for the Committee on Health and Human Services:

**C.S.S.B. 506**

Senator Brooks submitted the following report for the Committee on Health and Human Services:

**C.S.S.B. 458**

Senator Glasgow submitted the following report for the Committee on Jurisprudence:

S.B. 742  
S.B. 176  
S.B. 826  
C.S.S.B. 298  
C.S.S.B. 846  
C.S.S.B. 924  
C.S.S.B. 452

Senator McFarland submitted the following report for the Committee on Criminal Justice:

S.J.R. 4  
S.B. 678  
C.S.S.B. 54  
C.S.S.B. 789

Senator Montford submitted the following report for the Committee on State Affairs:

C.S.S.B. 75  
C.S.S.B. 907

Senator Parmer submitted the following report for the Committee on Intergovernmental Relations:

S.B. 972  
S.B. 950  
S.B. 590  
S.B. 930  
S.B. 716  
C.S.S.B. 936  
C.S.S.B. 33  
C.S.S.B. 978  
C.S.S.B. 800  
C.S.S.B. 382

(Senator Brooks in Chair)

#### HOUSE BILLS ON FIRST READING

The following bills received from the House were read the first time and referred to the Committee indicated:

H.B. 171, To Committee on Health and Human Services.  
H.B. 340, To Committee on Finance.  
H.B. 425, To Committee on State Affairs.  
H.B. 627, To Committee on Natural Resources.

#### SENATE BILLS ON FIRST READING

On motion of Senator Sims and by unanimous consent, the following bills were introduced, read first time and referred to the Committee indicated:

S.B. 1568 by Sims Natural Resources  
Relating to the renaming of the Public Interest Advocate and the Office of Public Interest of the Texas Water Commission.

**S.B. 1569** by Caperton Education  
Relating to the qualifications of certain entities or other organizations to enter into contracts or transactions with institutions of higher education and university systems.

**S.B. 1570** by Brooks, Krier Health and Human Services  
Relating to the establishment of a statewide telecommunications relay service for the hearing- and speech-impaired.

**S.B. 1571** by Brooks Natural Resources  
Relating to the coastal management coordinating responsibilities of the General Land Office.

**S.B. 1572** by Lyon Jurisprudence  
Relating to statements of cause of discharge of child care workers.

**S.B. 1573** by Caperton Finance  
Relating to the payment, collection, enforcement, and administration of certain taxes, fees, and other amounts collected or received by the state, including credits and refunds of those taxes, fees, and other amounts.

**CO-AUTHOR OF SENATE BILL 524**

On motion of Senator Johnson and by unanimous consent, Senator Zaffirini will be shown as Co-author of **S.B. 524**.

**CO-AUTHOR OF SENATE BILL 856**

On motion of Senator Truan and by unanimous consent, Senator Armbrister will be shown as Co-author of **S.B. 856**.

**CO-AUTHOR OF SENATE BILL 1507**

On motion of Senator Brooks and by unanimous consent, Senator Johnson will be shown as Co-author of **S.B. 1507**.

**MESSAGE FROM THE GOVERNOR**

The following Message from the Governor was read and was referred to the Committee on Nominations:

Austin, Texas  
March 22, 1989

TO THE SENATE OF THE SEVENTY-FIRST LEGISLATURE,  
REGULAR SESSION:

I ask the advice, consent and confirmation of the Senate with respect to the following appointments:

TO BE MEMBERS OF THE TEXAS BOARD OF HEALTH, FOR TERMS  
TO EXPIRE FEBRUARY 1, 1995:

Milton Lee Risinger, D.V.M.  
700 Eulalia  
Terrell, Texas 75160

Dr. Risinger will be replacing Dr. Dennis K. McIntosh of San Antonio, whose term expired.

William D. Poteet III  
4602 9th Street  
Lubbock, Texas 79416

Mr. Poteet will be replacing Dr. Ron J. Anderson of Dallas, whose term expired.

TO BE A MEMBER OF THE TEXAS BOARD OF MENTAL HEALTH AND MENTAL RETARDATION, FOR A TERM TO EXPIRE JANUARY 31, 1995:

Fermin Sarabia, M.D.  
3710 Litchfield  
San Antonio, Texas 78230

Dr. Sarabia will be replacing Dr. Roberto Jimenez of San Antonio, whose term expired.

Respectfully submitted,  
/s/W. P. Clements, Jr.  
William P. Clements, Jr.  
Governor of Texas

#### SESSION TO CONSIDER EXECUTIVE APPOINTMENTS

The Presiding Officer (Senator Brooks in Chair) announced the time had arrived to consider the Executive appointments to agencies, boards and commissions. Notice of submission of these names for consideration was given yesterday by Senator Edwards.

Senator Edwards moved confirmation of the nominees reported yesterday by the Committee on Nominations.

(President in Chair)

The President asked if there were requests to sever nominees.

Senator Washington requested the nominations of Billy Clayton, Raul B. Fernandez and Ross D. Margraves, Jr., to be Members of the Board of Regents, Texas A&M University System, be severed.

The request was granted.

#### NOMINEES CONFIRMED

The following nominees, not severed and reported yesterday by the Committee on Nominations, were confirmed by the following vote: Yeas 26, Nays 0, Present-not voting 1.

Present-not voting: Johnson.

Absent: Glasgow, Krier.

Absent-excused: Green, Whitmire.

Member, State Board of Nurse Examiners: MRS. PATSY SHARPE, Tarrant County.

Member, Texas Board of Corrections: JAMES MARION ELLER, Brazos County.

Member, Texas Alcoholic Beverage Commission: R. ALLAN SHIVERS, JR., Travis County.

Member, Texas Indian Affairs Commission: MRS. E. CHARLENE BULLS, Hansford County.

Members, Board of Regents, Lamar University System: MRS. AMELIE COBB, Jefferson County; RONALD G. STEINHART, Dallas County.

Members, Credit Union Commission: GILBERT E. ANDREWS, El Paso County; MS. BARBARA FRY ARNOLD, Ector County; GERALD W. GURNEY, Collin County.

Members, Board of Directors, Lower Colorado River Authority: LAWRENCE ROY BANDY, Caldwell County; RAYMOND F. BARKER, Kerr County; JOHN KENNETH DIXON, Llano County; JAMES B. GARRISON, JR., Burnet County; J. RANDALL GRIMES, Williamson County; JOHN H. HILL, Blanco County; J. M. JOHNSON, JR., Colorado County; RAY S. KNOX, Blanco County; ALEXANDER HAMILTON MASSAD, Travis County; CHARLES PATRICK OLES, JR., Travis County; MRS. RITA MYATT RADLEY, Wharton County.

Members, State Historical Commission: DR. BRIAN BABIN, Tyler County; JOHN M. BENNETT, Bexar County; T. R. FEHRENBACH, Bexar County; SHELDON HALL, El Paso County; MS. JEAN WELHAUSEN KASPAR, Lavaca County; MRS. MARY ANN PERRYMAN, Henderson County.

Members, Long-Term Care Coordinating Council for the Elderly: MRS. ERNESTINE H. BRIDGES, Dallas County; MS. ELENOR F. HOLMES, Limestone County; FRED REUBEN NORTON, JR., Bowie County; MRS. CHARLCIE WHITE THOMPSON, Leon County.

Members, Committee on Purchases of Products and Services of Blind and Severely Disabled Persons: MS. MARILYN PATRICIA ABERCROMBIE, Montgomery County; RONALD WAYNE ARNETT, Williamson County; GIBSON M. DUTERROIL, Harris County; PATRICK WAYNE LOFTIN, Travis County; MS. BARBARA PACE, Jasper County; MICHAEL THOMAS PHILLIPS, Travis County; MRS. JOELLEN FLORES SIMMONS, Travis County; MARION TRUITT, Taylor County; JOHN M. TURNER, Dallas County.

Members, Antiquities Committee: DR. THOMAS WILLIAM CUTRER, Travis County; MRS. ANNE E. FOX, Bexar County; KENNETH D. PERRY, Brewster County.

Members, Advisory Council on Community Affairs: EDWARD L. GARNER, Hansford County; COMMISSIONER ARTHUR LYNN HAHN, Gillespie County; LARRY STEVEN MAY, Nolan County; MS. JEAN LEWIS McREYNOLDS, McLennan County; MRS. JERI OSBORNE, Carson County; GEORGE WELDON RICE, Nacogdoches County; G. TED SIMMONS, Gray County; MS. ESTELLA LANE TREVINO, Hidalgo County; DR. B. B. TROTTER, Taylor County; MARK R. WALLOCK, Guadalupe County; MATTHEW WASHINGTON, Fort Bend County.

Members, Produce Recovery Fund Board: R. C. ALLEN, Nueces County; MS. MARIAN SUE HAWKINS, Castro County; STEVEN L. WELTMAN, Fort Bend County.

Member, Interagency Council on Early Childhood Intervention Services: MRS. JANET D. HOLLIDAY, Bexar County.

Members, Home Health Services Advisory Council: MRS. ANNABELLE GRAYBILL HENDERSON, Milam County; MS. GERALDINE TOLIVER HESTER, Brazos County; DR. DONALD L. KELLEY, Travis County; MRS. NANNETTE NAU OVERBECK, Travis County; MAURICE B. SHAW, Travis County; MRS. JOYCE NICHOLSON SNEAD, El Paso County; MS. MARY CHARLES STEELE SUTHER, Dallas County; MRS. NINA PERLITZ WICKMAN, Harris County.

Members, Interagency Council on Autism and Pervasive Developmental Disorders: DR. BEN HAROLD MOORE, JR., Bexar County; MS. JAN LYNN NEWSOM, Dallas County.

Members, Texas Judicial Council: JUDGE WARD L. KOEHLER, El Paso County; ALAN M. SAGER, Travis County; JUSTICE BILL J. STEPHENS, Dallas County; JUDGE THOMAS J. STOVALL, JR., Harris County; BLAKE TARTT, Harris County.

Members, Texas Water Well Drillers Board: JERRY F. FONTAINE, Anderson County; JAMES FRANK GRIMES, Dallas County; WALTON O'NEIL LOFTIS, Midland County.

Member, Texas Board of Irrigators: JAMES K. ROURKE, JR., Travis County.

Members, Commission on Uniform State Laws: PATRICK C. GUILLOT, Dallas County; BRADLEY J. B. TOBEN, McLennan County.

Member, Battleship Texas Advisory Board: RICHARD BURTON BALLANFANT, Harris County.

Question recurring on the confirmation of nominees to the Board of Regents, Texas A&M University System, Billy W. Clayton, Raul B. Fernandez and Ross D. Margraves, Jr., were confirmed to be Members of the Board of Regents, Texas A&M University System by the following vote: Yeas 25, Nays 3.

Yeas: Armbrister, Barrientos, Bivins, Brooks, Brown, Caperton, Carriker, Dickson, Edwards, Haley, Harris, Henderson, Krier, Leedom, Lyon, McFarland, Montford, Parker, Ratliff, Santiesteban, Sims, Tejeda, Truan, Uribe, Zaffirini.

Nays: Johnson, Parmer, Washington.

Absent: Glasgow.

Absent-excused: Green, Whitmire.

#### SENATE RESOLUTION 292

Senator Brooks offered the following resolution:

WHEREAS, One of the most magnificent and moving tributes to the heroes of the Texas Revolution is the State of Texas Heroes Monument in Galveston, which was accepted on behalf of the state on the occasion of its dedication on San Jacinto Day in 1900 by Governor Sayers; and

WHEREAS, Since 1900, the existence of the Texas Heroes Monument has proclaimed the deep love for Texas of all Texans but has become inaccessible to the general public since it has become an island in the center and cross section of a major state highway and a busy major local thoroughfare; and

WHEREAS, The 70th Legislature of the State of Texas, 2nd Called Session, recognized the importance of restoring the Texas Heroes Monument to its original accessibility and former glory and grandeur by creating the Texas Heroes Monument Commission to accomplish this purpose; and

WHEREAS, The Texas Heroes Monument Commission, with assistance from the Texas Historical Commission, the State Preservation Board, the Institute of Texan Cultures, and the State Department of Highways and Public Transportation, has developed a plan to restore the Texas Heroes Monument and is now ready to implement this plan; and

WHEREAS, The commission ceased to exist when the 71st Legislature convened; now, therefore, be it

RESOLVED, That the Texas Senate, 71st Legislature, hereby create and establish the Texas Heroes Monument Commission to implement the restoration plan; and, be it further

RESOLVED, That the commission shall be composed of six members: two members appointed by the governor; two members appointed by the lieutenant governor; and two members appointed by the speaker; and, be it further

RESOLVED, That the lieutenant governor shall designate the chair from among the appointees, and the commission shall subsequently meet at the call of the chair; and, be it further

RESOLVED, That the commission may solicit, accept, and spend funds from private gifts, grants, and donations in accordance with Section 301.032, Government Code; and, be it further

RESOLVED, That any expenses incurred by commission members and any general operating expenses of the commission shall be paid for from such gifts, grants, and donations; and, be it further

RESOLVED, That the Texas Legislative Council shall assist the commission with the receipt and expenditures of funds and shall provide other general administrative assistance; and, be it further

RESOLVED, That the commission may contract with public or private entities to accomplish the task of restoring the monument, subject to the requirements of applicable statutes; and, be it further

RESOLVED, That the Texas Heroes Monument Commission expires when the 72nd Legislature convenes in 1991 or earlier if superseded by a special commission created by proclamation of the lieutenant governor and speaker.

The resolution was read and was adopted viva voce vote.

#### SENATE BILL 4 ON SECOND READING

On motion of Senator Uribe and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 4**, Relating to the designation of upper-level educational centers as upper-level institutions and to the removal of the coordinating board's authority to discontinue the institutions.

The bill was read second time and was passed to engrossment viva voce vote.

#### SENATE BILL 4 ON THIRD READING

Senator Uribe moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **S.B. 4** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Nays: Washington.

Absent-excused: Green, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Green, Whitmire.

#### MESSAGE FROM THE HOUSE

House Chamber  
March 22, 1989

HONORABLE W. P. HOBBY  
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

**H.B. 630**, Relating to indigent health care.



**H.B. 143**, Relating to the definition of blood banks for purposes of testing, confidentiality of records, "Operation Look-Back" procedures, and liability.

Respectfully,

BETTY MURRAY, Chief Clerk  
House of Representatives

**COMMITTEE SUBSTITUTE  
SENATE BILL 453 ON SECOND READING**

On motion of Senator Carriker and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 453**, Relating to use of compensatory time by fire fighters and police officers in certain cities.

The bill was read second time.

Senator Carriker offered the following amendment to the bill:

Amend **C.S.S.B. 453** by deleting Subsection (a) of Section 142.0016 and substituting in lieu thereof the following:

(a) This section applies only in a municipality with a population greater than 10,000 located in a county with a population of less than 2.4 million, according to the most recent federal census.

The amendment was read and was adopted viva voce vote.

On motion of Senator Carriker and by unanimous consent, the caption was amended to conform to the body of the bill as amended.

The bill as amended was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 453 ON THIRD READING**

Senator Carriker moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **C.S.S.B. 453** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Nays: Washington.

Absent-excused: Green, Whitmire.

The bill was read third time and was passed viva voce vote.

**MOTION TO PLACE COMMITTEE SUBSTITUTE  
SENATE BILL 49 ON SECOND READING**

Senator Leedom moved to suspend the regular order of business to take up for consideration at this time:

**C.S.S.B. 49**, Relating to fees for certain court services.

On motion of Senator Leedom and by unanimous consent, the motion to suspend the regular order of business was withdrawn.

**COMMITTEE SUBSTITUTE  
SENATE BILL 603 ON SECOND READING**

On motion of Senator Leedom and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 603**, Relating to the compensation, benefits, and working conditions of members of fire and police departments in certain municipalities.

The bill was read second time and was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 603 ON THIRD READING**

Senator Leedom moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **C.S.S.B. 603** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Nays: Washington.

Absent-excused: Green, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Green, Whitmire.

**COMMITTEE SUBSTITUTE  
SENATE BILL 514 ON SECOND READING**

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 514**, Relating to limitations on the authority of the State Purchasing and General Services Commission to acquire certain materials, supplies, and equipment for hospitals operated by university systems or institutions of higher education.

The bill was read second time and was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 514 ON THIRD READING**

Senator Brooks moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **C.S.S.B. 514** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Nays: Washington.

Absent-excused: Green, Whitmire.

The bill was read third time and was passed viva voce vote.

**SENATE BILL 515 ON SECOND READING**

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 515**, Relating to eligible institutions that can establish cooperative associations.

The bill was read second time and was passed to engrossment viva voce vote.

**SENATE BILL 515 ON THIRD READING**

Senator Brooks moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **S.B. 515** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Nays: Washington.

Absent-excused: Green, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Green, Whitmire.

**SENATE BILL 197 ON SECOND READING**

Senator Parker moved to suspend the regular order of business to take up for consideration at this time:

**S.B. 197**, Relating to notification to parents of the lack of certification of teachers.

The motion prevailed by the following vote: Yeas 24, Nays 5.

Yeas: Barrientos, Brooks, Brown, Caperton, Carriker, Edwards, Glasgow, Haley, Harris, Henderson, Johnson, Krier, Leedom, Lyon, McFarland, Parker, Parmer, Ratliff, Santiesteban, Tejada, Truan, Uribe, Washington, Zaffirini.

Nays: Armbrister, Bivins, Dickson, Montford, Sims.

Absent-excused: Green, Whitmire.

The bill was read second time and was passed to engrossment viva voce vote.

**SENATE BILL 197 ON THIRD READING**

Senator Parker moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **S.B. 197** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 24, Nays 5.

Yeas: Armbrister, Barrientos, Brooks, Brown, Caperton, Carriker, Edwards, Glasgow, Haley, Harris, Henderson, Johnson, Krier, Leedom, Lyon, McFarland, Parker, Parmer, Ratliff, Santiesteban, Tejada, Truan, Uribe, Zaffirini.

Nays: Bivins, Dickson, Montford, Sims, Washington.

Absent-excused: Green, Whitmire.

The bill was read third time and was passed viva voce vote.

**RECORD OF VOTES**

Senators Armbrister, Bivins, Dickson, Montford and Sims asked to be recorded as voting "Nay" on the final passage of the bill.

**SENATE BILL 199 ON SECOND READING**

On motion of Senator Parker and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 199**, Relating to the addition of environment as an initial priority research area supported by an advanced technology program.

The bill was read second time and was passed to engrossment viva voce vote.

**SENATE BILL 199 ON THIRD READING**

Senator Parker moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **S.B. 199** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 1.

Nays: Washington.

Absent-excused: Green, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 0.

Absent-excused: Green, Whitmire.

(Senator Krier in Chair)

**SENATE BILL 504 ON SECOND READING**

Senator Edwards asked unanimous consent to suspend the regular order of business to take up for consideration at this time:

**S.B. 504**, Relating to the establishment of a tuition grant program for dependent children of certain public school teachers.

There was objection.

Senator Edwards then moved to suspend the regular order of business and take up **S.B. 504** for consideration at this time.

The motion prevailed by the following vote: Yeas 22, Nays 6.

Yeas: Armbrister, Barrientos, Brooks, Brown, Carriker, Dickson, Edwards, Glasgow, Haley, Henderson, Johnson, Krier, Lyon, McFarland, Parker, Parmer, Ratliff, Santiesteban, Tejada, Truan, Uribe, Zaffirini.

Nays: Bivins, Caperton, Harris, Leedom, Montford, Sims.

Absent: Washington.

Absent-excused: Green, Whitmire.

The bill was read second time and was passed to engrossment viva voce vote.

**RECORD OF VOTE**

Senator Sims asked to be recorded as voting "Nay" on the passage of the bill to engrossment.

**SENATE BILL 504 ON THIRD READING**

Senator Edwards moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **S.B. 504** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 23, Nays 5.

Yeas: Armbrister, Barrientos, Brooks, Brown, Caperton, Carriker, Dickson, Edwards, Glasgow, Haley, Henderson, Johnson, Krier, Lyon, McFarland, Parker, Parmer, Ratliff, Santiesteban, Tejeda, Truan, Uribe, Zaffirini.

Nays: Bivins, Harris, Leedom, Montford, Sims.

Absent: Washington.

Absent-excused: Green, Whitmire.

**(President in Chair)**

The bill was read third time and was passed by the following vote: Yeas 23, Nays 5. (Same as previous roll call)

**SENATE BILL 432 ON SECOND READING**

On motion of Senator Lyon and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 432**, Relating to the right of a commissioned officer of the Department of Public Safety to engage in certain off-duty activities.

The bill was read second time and was passed to engrossment viva voce vote.

**SENATE BILL 432 ON THIRD READING**

Senator Lyon moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **S.B. 432** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent: Washington.

Absent-excused: Green, Whitmire.

The bill was read third time and was passed viva voce vote.

**SENATE BILL 363 ON SECOND READING**

On motion of Senator Zaffirini and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**S.B. 363**, Relating to a designation of the anniversary of the signing of the Treaty of Guadalupe Hidalgo as a legal holiday.

The bill was read second time and was passed to engrossment viva voce vote.

**SENATE BILL 363 ON THIRD READING**

Senator Zaffirini moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **S.B. 363** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 0.

Absent: Washington.

Absent-excused: Green, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 28, Nays 0. (Same as previous roll call)

#### MESSAGE FROM THE HOUSE

House Chamber  
March 22, 1989

HONORABLE W. P. HOBBY  
PRESIDENT OF THE SENATE

SIR: I am directed by the House to inform the Senate that the House has passed the following:

**H.B. 1467**, Relating to the creation, administration, powers, duties, operation, and financing of the Muleshoe Area Hospital District; authorizing a tax; granting the authority to issue bonds; and granting the power of eminent domain.

Respectfully,

BETTY MURRAY, Chief Clerk  
House of Representatives

#### HOUSE BILL ON FIRST READING

The following bill received from the House was read the first time and referred to the Committee indicated:

**H.B. 1467**, To Committee on Health and Human Services.

#### MEMORIAL RESOLUTION

**S.R. 291** - By Truan: In memory of Colonel Harry L. Corkill, Jr., of Corpus Christi.

#### CONGRATULATORY RESOLUTIONS

**S.C.R. 96** - By Brown: Declaring the week of May 14-21, 1989, as Texas Law Officers Week and designating May 18 as Law Officers Memorial Day.

**S.C.R. 97** - By Barrientos: Honoring the Austin Smiles Medical Mission Team for their goodwill offering to the peoples of Mexico.

**S.R. 289** - By Caperton: Extending congratulations to Mrs. Maude McDaniel of Houston on her 100th birthday.

**S.R. 290** - By Edwards: Commending the seven princesses of the 62nd Texas Relays for their efforts on behalf of the Texas Relays Student Committee.

**S.R. 293** - By Haley: Extending congratulations to the Newton County Historical Commission members for their accomplishments in the preservation of Texas history.

**S.R. 294** - By Haley: Extending congratulations to the Cherokee County Historical Commission members for their accomplishments in the preservation of Texas History.

**S.R. 295** - By Haley: Extending congratulations to the San Jacinto Historical Commission members for their accomplishments in the preservation of Texas history.

**S.R. 296** - By Haley: Extending congratulations to the Anderson County Historical Commission members for their accomplishments in the preservation of Texas history.

**S.R. 297** - By Haley: Extending congratulations to the Jasper County Historical Commission members for their accomplishments in the preservation of Texas history.

**S.R. 298** - By Haley: Extending congratulations to Mrs. Bertie Bryant for being chosen for the John Ben Shepperd Award for Outstanding Chairman of a County Historical Commission.

#### **ADJOURNMENT**

Pursuant to **S.C.R. 14**, previously adopted by the Senate and the House of Representatives, and on motion of Senator Brooks, the Senate at 12:23 p.m. adjourned until 11:00 a.m. Tuesday, March 28, 1989.

#### **APPENDIX**

Signed by Governor  
(March 20, 1989)

**H.C.R. 122**

**H.C.R. 124**

**S.C.R. 55**

**S.C.R. 62**

(March 22, 1989)

**S.B. 186** (Effective immediately)

**S.B. 239** (Effective October 1, 1989)

**H.B. 251** (Effective immediately)

#### **THIRTY-THIRD DAY**

(Tuesday, March 28, 1989)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brooks, Brown, Caperton, Carriker, Dickson, Edwards, Glasgow, Green, Haley, Harris, Henderson, Johnson, Krier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Ratliff, Santiesteban, Sims, Tejada, Truan, Uribe, Washington, Whitmire, Zaffirini.

A quorum was announced present.

The Reverend Mark Brister, Memorial Baptist Church, Baytown, offered the invocation as follows:

Heavenly Father, we thank You for the opportunity to be here today. We thank You for the gift of life itself. We ask not just for knowledge, but we ask for wisdom. And we ask that we would not just do our jobs right, but that we would do the right things as we do our jobs. May our actions not simply adapt to the needs of individuals, but adopt laws for the needs of society. This we ask in Jesus' name. Amen.